

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

-----X

In re:

PROMESA
Title III

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

No. 17 BK 3283-LTS

THE COMMONWEALTH OF PUERTO RICO, *et al.*, (Jointly Administered)
Debtors.¹

-----X

**NOTICE OF AGENDA OF MATTERS SCHEDULED
FOR THE HEARING ON MARCH 10-11, 2021 AT 9:30 A.M. AST**

**Time and Date of
Hearing:** **Wednesday, March 10, 2021,**
from 9:30 a.m. to 1:00 p.m.,
from 2:00 p.m. to 5:00 p.m.
and
Thursday, March 11, 2021,
from 9:30 a.m. to 1:00 p.m.,
and from 2:00 p.m. to 5:00 p.m.
(Atlantic Standard Time)

Honorable Laura Taylor Swain, United States District Judge
Honorable Judith G. Dein, United States Magistrate Judge

Location of Hearing: **The Hearing will be conducted telephonically via CourtSolutions.**

Attorney Participation: Pursuant to the *Order Regarding Procedures for March 10-11, 2021, Omnibus Hearing* [Case No. 17-3283, ECF No. 15902] attached to this Agenda as **Exhibit A** and the *Order Regarding Procedures for March 11, 2021, Hearing* [Case No. 17-3283, ECF No. 15904] attached to this Agenda as **Exhibit B** (together,

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico ("Commonwealth") (Bankruptcy Case No. 17-BK-3283- LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17- BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

the “Procedures Orders”), attorneys who have entered an appearance in the Title III cases and wish to participate as speakers or listen in on the proceedings must register with CourtSolutions at www.court-solutions.com. The FOMB and AAFAF may each register up to five speaking lines for the March 10, 2021 session of the hearing, and all other parties shall be limited to two speaking lines for that session. For the March 11, 2021 session, each creditor group or party that filed briefs shall be limited to two speaking lines, and each party or group that filed a joinder in the relevant motion practice will be limited to one speaking line. There will be no limitation on listen-only lines.

Members of the Public and Press: Members of the public and press may listen in on the proceedings on a listen-only line by dialing (888) 363-4749 and entering the access code (7214978) and security code (5211) when prompted.

Copies of Documents:

Copies of all documents filed in these Title III cases are available free of charge (a) by visiting <https://cases.primeclerk.com/puertorico> or by calling +1 (844) 822-9231, and (b) on the Court’s website at <http://www.prd.uscourts.gov>, subject to the procedures and fees set forth therein.

MARCH 10, 2021 SESSION

I. STATUS REPORTS:

1. Report from the Oversight Board.

Description: Pursuant to the Procedures Orders, the Financial Oversight and Management Board for Puerto Rico (the “FOMB” or “Oversight Board”) will file a written Status Report prior to the hearing. The FOMB will report on (i) the general status and activities of the Oversight Board, including measures taken in response to the COVID-19 pandemic, (ii) the general status of relations among the Oversight Board and the Commonwealth and federal governments, (iii) the general status of work toward plans of adjustment, and (iv) the general status of the ADR and ACR processes, including the anticipated number of matters to be directed into the ADR process and anticipated timetable for initiation of ADR procedures with respect to such matters.

Speakers: Should the Court have questions or comments regarding the FOMB’s Status Report, the names of counsel who intend to speak on the Status Report are Martin J. Bienenstock and Brian S. Rosen.

2. **Report from AAFAF.**

Description: Pursuant to the Procedures Orders, the Puerto Rico Fiscal Agency and Financial Advisory Authority (“AAFAF”) will file a written status Report prior to the hearing. AAFAF will provide a general status report on its status and activities, including an overview of the Commonwealth’s ongoing response to the COVID-19 pandemic.

Speakers: Should the Court have questions or comments regarding AAFAF’s Status Report, the name of counsel who intends to speak on the Status Report is Luis C. Marini-Biaggi.

II. CONTESTED MATTERS

1. **Atlantic Medical Center, Inc. et al.’s Motion to Enforce Court’s Prior Order and for Relief from Automatic Stay.** Motion of Atlantic Medical Center, Inc., Camuy Health Services, Inc., Centro de Salud Familiar Dr. Julio Palmieri Ferri, Inc., Ciales Primary Health Care Services, Inc., Corp. de Serv. Médicos Primarios y Prevención de Hatillo, Inc., Costa Salud, Inc., Centro de Salud de Lares, Inc., Centro de Servicios Primarios de Salud de Patillas, Inc., and Hospital General Castañer, Inc. Seeking (I) Enforcement of the Court’s Prior Order and (II) Relief from the Automatic Stay [**Case No. 17-3283, ECF No. 12918**]

Description: Certain medical centers’ motion seeking (a) to compel the Commonwealth to pay certain amounts to the movants, (b) relief from the automatic stay to allow related prepetition litigation to go forward, and (c) prospective enforcement of certain statutory payments by the Commonwealth.

Objection Deadline: February 24, 2021 at 5:00 p.m. (Atlantic Standard Time).

Responses:

- A. Opposition of the Financial Oversight and Management Board of Puerto Rico to Motion of Atlantic Medical Center, Inc., Camuy Health Services, Inc., Centro de Salud Familiar Dr. Julio Palmieri Ferri, Inc., Ciales Primary Health Care Services, Inc., Corp. de Serv. Médicos Primarios y Prevención de Hatillo, Inc., Costa Salud, Inc., Centro de Salud de Lares, Inc., Centro de Servicios Primarios de Salud de Patillas, Inc., and Hospital General Castañer, Inc. Seeking (I) Enforcement of the Court’s Prior Order and (II) Relief from the Automatic Stay [**Case No 17-3283, ECF No. 15883**]

Reply, Joinder & Statement Deadlines: March 3, 2021 at 5:00 p.m. (Atlantic Standard Time).

Replies, Joinders & Statements:

- A. Official Committee of Unsecured Creditors’ Statement in Partial Support of Motion of Atlantic Medical Center, Inc. and Other Health Service Providers for (I)

Enforcement of Court's Prior Order and (II) Relief from Automatic Stay [**Case No. 17-3283, ECF No. 13260**]

B. Reply of Atlantic Medical Center, Inc., Camuy Health Services, Inc., Centro de Salud Familiar Dr. Julio Palmieri Ferri, Inc., Ciales Primary Health Care Services, Inc., Corp. de Serv. Médicos Primarios y Prevención de Hatillo, Inc., Costa Salud, Inc., Centro de Salud de Lares, Inc., Centro de Servicios Primarios de Salud de Patillas, Inc., and Hospital General Castañer, Inc. in Further Support of Motion to (I) Enforce the Court's Prior Order and (II) Obtain Relief from the Automatic Stay [**Case No 17-3283, ECF No. 15910**]

Related Documents:

- A. Joint Stipulation and Order Regarding Atlantic Medical Center, Inc., et al.'s Motion for Relief from the Automatic Stay (ECF No. 12918) [**Case No. 17-3283, ECF No. 13279**]
- B. Joint Stipulation and Order Regarding Atlantic Medical Center, Inc., et al.'s Motion for Relief from the Automatic Stay (ECF No. 12918) [**Case No. 17-3283, ECF No. 13303**]
- C. Urgent Consented Motion for Extension of Deadlines [**Case No. 17-3283, ECF No. 14166**]
- D. Order Granting Urgent Consented Motion for Extension of Deadlines [**Case No. 17-3283, ECF No. 14172**]
- E. Urgent Consented Motion for Extension of Deadlines [**Case No. 17-3283, ECF No. 14575**]
- F. Order Granting Urgent Consented Motion for Extension of Deadlines [**Case No. 17-3283, ECF No. 14581**]
- G. Urgent Consented Motion for Extension of Deadlines [**Case No. 17-3283, ECF No. 15237**]
- H. Order Granting Urgent Consented Motion for Extension of Deadlines [**Case No. 17-3283, ECF No. 15270**]
- I. Urgent Consented Motion for Extension of Deadlines [**Case No. 17-3283, ECF No. 15599**]
- J. Order Granting Urgent Consented Motion for Extension of Deadlines [**Case No. 17-3283, ECF No. 15608**]

Status: This matter is going forward.

Estimated Time Required: 30 minutes.

Order and Number of Speakers: The names of counsel who intend to speak on this matter and time allocations for each party are listed below, in the order in which the parties shall present argument:

A. Movants:

1. **Medical Center Group:** Brad Kahn and Nicole Bacon, 10 minutes
2. **Unsecured Creditors' Committee:** Luc A. Despins, 1 minute

B. Objecting Parties:

1. **Oversight Board:** Julia D. Alonzo, 15 minutes

C. Movants:

1. **Medical Center Group:** Brad Kahn and Nicole Bacon, 4 minutes

MARCH 11, 2021 SESSION

III. ORAL ARGUMENT ON ULTRA VIRES MOTIONS

Preliminary Hearing on Ultra Vires Motions. Pursuant to the *Order Granting Urgent Motion to Set Oral Argument Concerning Pending Motions in Certain Contested Matters and Adversary Proceedings Related to the Bonds Issued by the Employees Retirement System of the Government of the Commonwealth of Puerto Rico* [Case No. 17-3283, ECF No. 15697] (the “Oral Argument Order”), the matters detailed below in sections III.1, III.2, and III.3 of this Agenda (collectively, the “Ultra Vires Motions”) shall be heard together on March 11, 2021, beginning at 9:30 a.m. (Atlantic Standard Time).

Estimated Time Required: 90 minutes.

Order and Number of Speakers: The names of counsel who intend to speak on the *Ultra Vires Motions* and time allocations for each party are listed below, in the order in which the parties shall present argument (subject to reserving time for rebuttal).

- A. **Special Claims Committee:** Danielle D'Aquila, 5 minutes
- B. **Unsecured Creditors' Committee:** Nicholas A. Bassett, 15 minutes
- C. **Retiree Committee:** Landon Raiford, 15 minutes
- D. **ERS Bondholder Groups:** Bruce Bennett, 38 minutes
- E. **Fiscal Agent:** Luke Sizemore, 7 minutes

Documents Related to All Ultra Vires Motions:

- A. Order Modifying Briefing Schedule with Respect to Certain Issues Raised in Certain Contested Matters and Adversary Proceedings Related to the Bonds Issued by the Employees Retirement System of the Government of the Commonwealth of Puerto Rico **Case No. 17-3283, ECF No. 14095; Case No. 17- 3566, ECF No. 963]**
- B. Urgent Motion of the Committees and Government Parties To Set Oral Argument Concerning Pending Motions in Certain Contested Matters and Adversary Proceedings Related to the Bonds Issued by the Employees Retirement System of

the Government of the Commonwealth of Puerto Rico [**Case No. 17-3283, ECF No. 15634; Case No. 17- 3566, ECF No. 1052**]

C. Order Granting Urgent Motion To Set Oral Argument Concerning Pending Motions in Certain Contested Matters and Adversary Proceedings Related to the Bonds Issued by the Employees Retirement System of the Government of the Commonwealth of Puerto Rico [**Case No. 17-3283, ECF No. 15697; Case No. 17-3566, ECF No. 1065**]

Deadlines Related to All *Ultra Vires* Motions:

Objection Deadline: October 28, 2020

Reply, Joinder & Statement Deadlines: Joinder deadline: November 4, 2020
Reply deadline: November 19, 2020

1. **ERS Bondholders' Motion for Partial Summary Judgment on *Ultra Vires* Issues And Proceedings.** ERS Bondholders' Motion for Partial Summary Judgment on *Ultra Vires* Issues And Proceedings [**Case No. 17-3283, ECF No. 14241; Case No. 17-3566, ECF No. 971; Adv. Case No. 19-356, ECF No. 115; Adv. Case No. 19-357, ECF No. 120; Adv. Case No. 19-359, ECF No. 99; Adv. Case No. 19-361, ECF No. 102**]

Description: ERS Bondholders' motion for partial summary judgment on *ultra vires* issues and proceedings.

Responses:

A. Response of Committees to (I) ERS Bondholders' Motion for Partial Summary Judgment on *Ultra Vires* Issues and Proceedings; and (II) Motion of Bank of New York Mellon, as Fiscal Agent, for Summary Judgment Pursuant to Fed. R. Civ. P. 56 Regarding *Ultra Vires* Challenge [**Case No. 17-3283, ECF No. 14983; Case No. 17-3566, ECF No. 1004; Adv. Case No. 19-356, ECF No. 137; Adv. Case No. 19-357, ECF No. 142; Adv. Case No. 19-359, ECF No. 120; Adv. Case No. 19-361, ECF No. 124**]

Replies, Joinders & Statements:

A. UBS Financial Services Incorporated of Puerto Rico and UBS Trust Company of Puerto Rico's Joinder to the ERS Bondholders' and Bank of New York Mellon's Motions for Summary Judgment in the *Ultra Vires* Proceedings [**Case No. 17-3283, ECF No. 14347; Case No. 17-3566, ECF No. 987**]

B. ERS Bondholders' Reply in Support of Motion for Partial Summary Judgment on *Ultra Vires* Issues and Proceedings [**Case No. 17-3283, ECF No. 15206; Case No. 17-3566, ECF No. 1028; Adv. Case No. 19-356, ECF No. 147; Adv. Case No. 19-357, ECF No. 151; Adv. Case No. 19-359, ECF No. 130; Adv. Case No. 19-361, ECF No. 134**]

C. UBS Financial Services Incorporated of Puerto Rico and UBS Trust Company of Puerto Rico's Joinder to the ERS Bondholders' and Bank of New York Mellon's

Reply Briefs in Support of Summary Judgment on the *Ultra Vires* Issues [Case No. 17-3283, ECF No. 15274; Case No. 17-3566, ECF No. 1035]

- D. Joinder of Defendant 7Y to ERS Bondholders' Motion for Partial Summary Judgment on *Ultra Vires* Issues And Proceedings [Adv. Case No. 19-356, ECF No. 127]
- E. Noria Osorio De Cordero's Joinder to ERS Bondholders' Motion for Partial Summary Judgment at Dkt. 120 [Adv. Case No. 19-357, ECF No. 132]
- F. Roche U.S. Retirement Plans Master Trust's Motion of Joinder to Co-Defendant ERS Bondholders' Motion for Summary Judgment on *Ultra Vires* Issues and Proceedings (Docket No. 102) [Adv. Case No. 19-361, ECF No. 114]

Related Documents:

- A. ERS Bondholders' Rule 56(b) Statement of Undisputed Facts in Support of Motion for Partial Summary Judgment on *Ultra Vires* Issues and Proceedings [Case No. 17-3283; ECF No. 14242; Case No. 17-3566, ECF No. 972; Adv. Case No. 19-356, ECF No. 116; Adv. Case No. 19-357, ECF No. 121; Adv. Case No. 19-359, ECF No. 100; Adv. Case No. 19-361, ECF No. 103]
- B. Declaration of Sparkle L. Sooknanan in Support of ERS Bondholders' Motion for Partial Summary Judgment on *Ultra Vires* Issues and Proceedings [Case No. 17-3283, ECF No. 14243; Case No. 17-3566, ECF No. 973; Adv. Case No. 19-356, ECF No. 117; Adv. Case No. 19-357, ECF No. 122; Adv. Case No. 19-359, ECF No. 101; Adv. Case No. 19-361, ECF No. 104]
- C. Declaration of Dr. W. Bartley Hildreth [Case No. 17-3283, ECF No. 14244; Case No. 17-3566, ECF No. 974; Adv. Case No. 19-356, ECF No. 118; Adv. Case No. 19-357, ECF No. 123; Adv. Case No. 19-359, ECF No. 102; Adv. Case No. 19-361, ECF No. 105]
- D. Declaration of Dr. Laura Gonzales [Case No. 17-3283, ECF No. 14245; Case No. 17-3566, ECF No. 975; Adv. Case No. 19-356, ECF No. 119; Adv. Case No. 19-357, ECF No. 124; Adv. Case No. 19-359, ECF No. 103; Adv. Case No. 19-361, ECF No. 106]
- E. The Committees' Response to ERS Bondholders' Rule 56(b) Statement of Undisputed Facts in Support of Motion for Partial Summary Judgment on *Ultra Vires* Issues and Proceedings [Case No. 17-3283; ECF No. 14981; Case No. 17-3566, ECF No. 1002; Adv. Case No. 19-356, ECF No. 133; Adv. Case No. 19-357, ECF No. 138; Adv. Case No. 19-359, ECF No. 116; Adv. Case No. 19-361, ECF No. 120]
- F. Declaration of Landon S. Raiford [Case No. 17-3283, ECF No. 14984; Case No. 17-3566, ECF No. 1007; Adv. Case No. 19-356, ECF No. 138; Adv. Case No. 19-357, ECF No. 143; Adv. Case No. 19-359, ECF No. 122; Adv. Case No. 19-361, ECF No. 125]

- G. Committees' Motion to Exclude Expert Testimony of Dr. Laura Gonzalez on *Ultra Vires* Issues [Case No. 17-3283, ECF No. 14974; Case No. 17-3566, ECF No. 997; Adv. Case No. 19-356, ECF No. 132; Adv. Case No. 19-357, ECF No. 137; Adv. Case No. 19-359, ECF No. 115; Adv. Case No. 19-361, ECF No. 119]
- H. Order Scheduling Briefing of Committees' (I) Motion to Exclude Expert Testimony of Dr. Laura Gonzalez on *Ultra Vires* Issues and (II) Motion to Strike Declaration of John Faith and Accompanying Exhibit from the Motion of the Bank of New York Mellon, as Fiscal Agent, for Summary Judgment Pursuant to Fed. R. Civ. P. 56 Regarding *Ultra Vires* Challenge [Case No. 17-3283, ECF No. 15004; Case No. 17-3566, ECF No. 1010; Adv. Case No. 19-356, ECF No. 141; Adv. Case No. 19-357, ECF No. 146; Adv. Case No. 19-359, ECF No. 125; Adv. Case No. 19-361, ECF No. 128]
- I. ERS Bondholders' Opposition to Committees' Motion to Exclude Expert Testimony of Dr. Laura Gonzalez on *Ultra Vires* Issues [Case No. 17-3283, ECF No. 15209; Case No. 17-3566, ECF No. 1029; Adv. Case No. 19-356, ECF No. 148; Adv. Case No. 19-357, ECF No. 152; Adv. Case No. 19-359, ECF No. 131; Adv. Case No. 19-361, ECF No. 135]
- J. Declaration of Sparkle L. Sooknanan in Support of ERS Bondholders' Opposition to Committees' Motion to Exclude Expert Testimony of Dr. Laura Gonzalez on *Ultra Vires* Issues [Case No. 17-3283, ECF No. 15210; Case No. 17-3566, ECF No. 1030; Adv. Case No. 19-356, ECF No. 149; Adv. Case No. 19-357, ECF No. 153; Adv. Case No. 19-359, ECF No. 132; Adv. Case No. 19-361, ECF No. 136]
- K. Committees' Reply in Support of Motion to Exclude Expert Testimony of Dr. Laura Gonzalez on *Ultra Vires* Issues [Case No. 17-3283, ECF No. 15335; Case No. 17-3566, ECF No. 1041; Adv. Case No. 19-356, ECF No. 152; Adv. Case No. 19-357, ECF No. 156; Adv. Case No. 19-359, ECF No. 135; Adv. Case No. 19-361, ECF No. 139]
- L. Order Regarding Motion to Exclude Expert Testimony of Dr. Laura Gonzalez [Case No. 17-3283, ECF No. 15874, Case No. 17-3566, ECF No. 1081; Adv. Case No. 19-356, ECF No. 167; Adv. Case No. 19-357, ECF No. 176; Adv. Case No. 19-359, ECF No. 155; Adv. Case No. 19-361, ECF No. 155]

Status: This matter is going forward.

- 2. **Motion of the Bank of New York Mellon, as Fiscal Agent, for Summary Judgment Pursuant to Fed. R. Civ. P. 56 Regarding Ultra Vires Challenge.** Motion of the Bank of New York Mellon, as Fiscal Agent, for Summary Judgment Pursuant to Fed. R. Civ. P. 56 Regarding *Ultra Vires* Challenge [Case No. 17-3283, ECF No. 14247; Case No. 17-3566, ECF No. 976]

Description: Motion of the Bank of New York Mellon, as fiscal agent, for summary judgment on *ultra vires* issues.

Responses:

- A. Response of Committees to (I) ERS Bondholders' Motion for Partial Summary Judgment on *Ultra Vires* Issues and Proceedings; and (II) Motion of Bank of New York Mellon, as Fiscal Agent, for Summary Judgment Pursuant to Fed. R. Civ. P. 56 Regarding *Ultra Vires* Challenge **[Case No. 17-3283, ECF No. 14983; Case No. 17-3566, ECF No. 1004]**

Replies, Joinders & Statements:

- A. UBS Financial Services Incorporated of Puerto Rico and UBS Trust Company of Puerto Rico's Joinder to the ERS Bondholders' and Bank of New York Mellon's Motions for Summary Judgment in the *Ultra Vires* Proceedings **[Case No. 17-3283, ECF No. 14347; Case No. 17-3566, ECF No. 987]**
- B. Reply of the Bank of New York Mellon, as Fiscal Agent, to the Response of Committees to (I) ERS Bondholders' Motion for Partial Summary Judgment on *Ultra Vires* Issues and Proceedings; and (II) Motion of Bank of New York Mellon, as Fiscal Agent, for Summary Judgment Pursuant to Fed. R. Civ. P. 56 Regarding *Ultra Vires* Challenge **[Case No. 17-3283, ECF No. 15202; Case No. 17-3566, ECF No. 1023]**
- C. UBS Financial Services Incorporated of Puerto Rico and UBS Trust Company of Puerto Rico's Joinder to the ERS Bondholders' and Bank of New York Mellon's Reply Briefs in Support of Summary Judgment on the *Ultra Vires* Issues **[Case No. 17-3283, ECF No. 15274; Case No. 17-3566, ECF No. 1035]**

Related Documents:

- A. Statement of Undisputed Material Facts in Support of the Motion of the Bank of New York Mellon, as Fiscal Agent, for Summary Judgment Pursuant to Fed. R. Civ. P. 56 Regarding *Ultra Vires* Challenge **[Case No. 17-3283; ECF No. 14249; Case No. 17-3566, ECF No. 977]**
- B. Committees' Response to Statement of Undisputed Material Facts in Support of the Motion of the Bank of New York Mellon, as Fiscal Agent, for Summary Judgment Pursuant to Fed. R. Civ. P. 56 Regarding *Ultra Vires* Challenge **[Case No. 17-3283; ECF No. 14982; Case No. 17-3566, ECF No. 1003]**
- C. Declaration of Landon S. Raiford **[Case No. 17-3283, ECF No. 14984; Case No. 17-3566, ECF No. 1007]**
- D. Committees' Motion to Strike Declaration of John Faith and Accompanying Exhibit from the Motion of the Bank of New York Mellon, as Fiscal Agent, for Summary Judgment Pursuant to Fed. R. Civ. P. 56 Regarding *Ultra Vires* Issues **[Case No. 17-3283, ECF No. 14978; Case No. 17-3566, ECF No. 1000]**
- E. Order Scheduling Briefing of Committees' (I) Motion to Exclude Expert Testimony of Dr. Laura Gonzalez in *Ultra Vires* Issues and (II) Motion to Strike Declaration of John Faith and Accompanying Exhibit from the Motion of the Bank of New

York Mellon, as Fiscal Agent, for Summary Judgment Pursuant to Fed. R. Civ. P. 56 Regarding *Ultra Vires* Challenge [Case No. 17-3283, ECF No. 15004; Case No. 17-3566, ECF No. 1010]

- F. Response of the Bank of New York Mellon, as Fiscal Agent, to Committees' Motion to Strike Declaration of John Faith and Accompanying Exhibit from the Motion of the Bank of New York Mellon, as Fiscal Agent, for Summary Judgment Pursuant to Fed. R. Civ. P. 56 Regarding *Ultra Vires* Issues [Case No. 17-3283, ECF No. 15201; Case No. 17-3566, ECF No. 1022]
- G. Declaration of C. Neil Gray in Support of Response of the Bank of New York Mellon, as Fiscal Agent, to Committees' Motion to Strike Declaration of John Faith and Accompanying Exhibit from the Motion of the Bank of New York Mellon, as Fiscal Agent, for Summary Judgment Pursuant to Fed. R. Civ. P. 56 Regarding *Ultra Vires* Issues [Case No. 17-3283, ECF No. 15203; Case No. 17-3566, ECF No. 1024]
- H. Committees' Reply in Support of Motion to Strike Declaration of John Faith and Accompanying Exhibit from the Motion of the Bank of New York Mellon, as Fiscal Agent, for Summary Judgment Pursuant to Fed. R. Civ. P. 56 Regarding *Ultra Vires* Issues [Case No. 17-3283, ECF No. 15331; Case No. 17-3566, ECF No. 1040]
- I. Order on Motion to Strike Faith Declaration and Accompanying Exhibit [Case No. 17-3283, ECF No. 15873, Case No. 17-3566, ECF No. 1080]

Status: This matter is going forward.

- 3. **Committees' Motion for Summary Judgment on Ultra Vires Issues.** Committees' Motion for Summary Judgment on *Ultra Vires* Issues [Case No. 17-3283, ECF No. 14246; Case No. 17-3566, ECF No. 978; Adv. Case No. 19-356, ECF No. 120; Adv. Case No. 19-357, ECF No. 125; Adv. Case No. 19-359, ECF No. 104; Adv. Case No. 19-361, ECF No. 107]

Description: The Official Committee of Unsecured Creditors, the Official Committee of Retired Employees of the Commonwealth of Puerto Rico, and the Special Claims Committee of the Financial Oversight and Management Board for Puerto Rico's motion for summary judgment on *ultra vires* issues.

Responses:

- A. Response of the Bank of New York Mellon, as Fiscal Agent, to the Committees' Motion for Summary Judgment on *Ultra Vires* Issues [Case No. 17-3283, ECF No. 14977; Case No. 17-3566, ECF No. 998]
- B. ERS Bondholders' Brief in Opposition to the Committees' Motion for Summary Judgment on *Ultra Vires* Issues [Case No. 17-3283, ECF No. 14985; Case No. 17-3566, ECF No. 1005; Adv. Case No. 19-356, ECF No. 135; Adv. Case No. 19-

357, ECF No. 140; Adv. Case No. 19-359, ECF No. 118; Adv. Case No. 19-361, ECF No. 122]

- C. Declaration of Sparkle L. Sooknanan in Support of ERS Bondholders' Brief in Opposition to the Committees' Motion for Summary Judgment on *Ultra Vires* Issues [**Case No. 17-3283, ECF No. 14986; Case No. 17-3566, ECF No. 1006; Adv. Case No. 19-356, ECF No. 136; Adv. Case No. 19-357, ECF No. 141; Adv. Case No. 19-359, ECF No. 119; Adv. Case No. 19-361, ECF No. 123**]
- D. Joinder of Defendant 7Y to ERS Bondholders' Brief in Opposition to the Committees' Motion for Summary Judgment on *Ultra Vires* Issues [**Adv. Case No. 19-356, ECF No. 142**]
- E. Roche U.S. Retirement Plans Master Trust's Motion of Joinder to Co-Defendant ERS Bondholders' Brief in Opposition to the Committees' Motion for Summary Judgment on *Ultra Vires* Issues [**Adv. Case No. 19-361, ECF No. 129**]

Replies, Joinders & Statements:

- A. UBS Financial Services Incorporated of Puerto Rico and UBS Trust Company of Puerto Rico's Joinder to the ERS Bondholders' and Bank of New York Mellon's Oppositions to the Committees' Motion for Summary Judgment on *Ultra Vires* Issues [**Case No. 17-3283, ECF No. 15021; Case No. 17-3566, ECF No. 1012**]
- B. Committees' Reply in Support of Their Motion for Summary Judgment on *Ultra Vires* Issues [**Case No. 17-3283, ECF No. 15204; Case No. 17-3566, ECF No. 1025; Adv. Case No. 19-356, ECF No. 146; Adv. Case No. 19-357, ECF No. 150; Adv. Case No. 19-359, ECF No. 129; Adv. Case No. 19-361, ECF No. 133**]
- C. Notice of Exhibit 1 to Committees' Reply in Support of Their Motion for Summary Judgment on *Ultra Vires* Issues [**Case No. 17-3566, ECF No. 1026**]

Related Documents:

- A. Committees' Statement of Undisputed Facts in Support of Motion for Summary Judgment on *Ultra Vires* Issues [**Case No. 17-3283; ECF No. 14248; Case No. 17-3566, ECF No. 979; Adv. Case No. 19-356, ECF No. 121; Adv. Case No. 19-357, ECF No. 126; Adv. Case No. 19-359, ECF No. 105; Adv. Case No. 19-361, ECF No. 108**]
- B. Declaration of Nicholas A. Bassett [**Case No. 17-3566, ECF No. 980; Adv. Case No. 19-356, ECF No. 122; Adv. Case No. 19-357, ECF No. 127; Adv. Case No. 19-359, ECF No. 106; Adv. Case No. 19-361, ECF No. 109**]
- C. Response and Additional Facts of the Bank of New York Mellon, as Fiscal Agent, to the Committees' Statement of Undisputed Facts in Support of Motion for Summary Judgment on *Ultra Vires* Issues [**Case No. 17-3283, ECF No. 14979; Case No. 17-3566, ECF No. 999**]

- D. Response of the ERS Bondholders to the Committees' Statement of Undisputed Facts in Support of Motion for Summary Judgment on *Ultra Vires* Issues [Case No. 17-3283; ECF No. 14980; Case No. 17-3566, ECF No. 1001; Adv. Case No. 19-356, ECF No. 134; Adv. Case No. 19-357, ECF No. 139; Adv. Case No. 19-359, ECF No. 117; Adv. Case No. 19-361, ECF No. 121]
- E. Committees' Reply to Response and Additional Facts of the Bank of New York Mellon, as Fiscal Agent, to the Committees' Statement of Undisputed Facts in Support of Motion for Summary Judgment on *Ultra Vires* Issues [Case No. 17-3283, ECF No. 15205; Case No. 17-3566, ECF No. 1027]

Status: This matter is going forward.

IV. ORAL ARGUMENT ON LIEN SCOPE MOTIONS

Preliminary Hearing on Lien Scope Motions. Pursuant to the Oral Argument Order, the matters detailed below in sections IV.1 and IV.2 of this Agenda (collectively, the "Lien Scope Motions") shall be heard together on March 11, 2021 beginning at 9:30 a.m. (Atlantic Standard Time).

Estimated Time Required: 60 minutes

Order and Number of Speakers: The names of counsel who intend to speak on the Lien Scope Motions and time allocations for each party are listed below, in the order in which the parties shall present argument (subject to reserving time for rebuttal).

- A. **Oversight Board:** Margaret A. Dale and Jennifer L. Roche, 30 minutes
- B. **ERS Bondholder Groups:** Bruce Bennett and Jason Zakia, 30 minutes

Documents Related to All Lien Scope Motions:

- A. Order Modifying Briefing Schedule with Respect to Certain Issues Raised in Certain Contested Matters and Adversary Proceedings Related to the Bonds Issued by the Employees Retirement System of the Government of the Commonwealth of Puerto Rico [Case No. 17-3283, ECF No. 14095; Case No. 17-3566, ECF No. 963; Adv. Case No. 19-366, ECF No. 84; Adv. Case No. 19-367, ECF No. 100]
- B. Urgent Motion of the Committees and Government Parties To Set Oral Argument Concerning Pending Motions in Certain Contested Matters and Adversary Proceedings Related to the Bonds Issued by the Employees Retirement System of the Government of the Commonwealth of Puerto Rico [Case No. 17-3283, ECF No. 15634; Case No. 17-3566, ECF No. 1052; Adv. Case No. 19-366, ECF No. 138; Adv. Case No. 19-367, ECF No. 154]
- C. Order Granting Urgent Motion To Set Oral Argument Concerning Pending Motions in Certain Contested Matters and Adversary Proceedings Related to the Bonds Issued by the Employees Retirement System of the Government of the Commonwealth of Puerto Rico [Case No. 17-3283, ECF No. 15697; Case No. 17-

3566, ECF No. 1065; Adv. Case No. 19-366, ECF No. 145; Adv. Case No. 19-367, ECF No. 166]

Deadlines Related to Lien Scope Motions:

Objection Deadline: October 28, 2020

Reply, Joinder & Statement Deadlines: Joinder deadline: November 4, 2020
Reply deadline: November 19, 2020

1. **ERS Motion for Summary Judgment on Lien Scope Issues.** Notice of Motion and Motion of the Employees Retirement System of the Government of the Commonwealth of Puerto Rico, by and through the Financial Oversight and Management Board, Pursuant to Bankruptcy Rule 7056 for Summary Judgment [**Adv. Case No. 19-366, ECF No. 91; Adv. Case No. 19-367, ECF No. 107**]; Memorandum of the Employees Retirement System of the Government of the Commonwealth of Puerto Rico, by and through the Financial Oversight and Management Board, in Support of Motion Pursuant to Bankruptcy Rule 7056 for Summary Judgment [**Adv. Case No. 19-366, ECF No. 92; Adv. Case No. 19-367, ECF No. 108**]

Description: ERS's motion for summary judgment on lien scope issues.

Responses:

- A. Defendants' Brief in Opposition to Plaintiff's Motion for Partial Summary Judgment on Lien Scope Issues [**Adv. Case No. 19-366, ECF No. 110; Adv. Case No. 19-367, ECF No. 126**]
- B. Declaration of Sparkle L. Sooknanan in Support of Defendants' Brief in Opposition to Plaintiffs' Motion for Partial Summary Judgment on Lien Scope Issues **Adv. Case No. 19-366, ECF No. 113; Adv. Case No. 19-367, ECF No. 129**]

Replies, Joinders & Statements:

- A. Joinder of Plaintiff-Intervenor the Official Committee of Retired Employees to Motion of the Employees Retirement System of the Government of the Commonwealth of Puerto Rico, by and through the Financial Oversight and Management Board, in Support of Motion Pursuant to Bankruptcy Rule 7056 for Summary Judgment [**Adv. Case No. 19-366, ECF No. 94; Adv. Case No. 19-367, ECF No. 110**]
- B. Reply Memorandum of the Employees Retirement System of the Government of the Commonwealth of Puerto Rico, by and Through the Financial Oversight and Management Board, in Support of Motion Pursuant to Bankruptcy Rule 7056 for Summary Judgment [**Adv. Case No. 19-366, ECF No. 120; Adv. Case No. 19-367, ECF No. 136**]
- C. Joinder of Plaintiff-Intervenor the Official Committee of Retired Employees to Reply Memorandum of the Employees Retirement System of the Government of the Commonwealth of Puerto Rico, by and Through the Financial Oversight and

Management Board, in Support of Motion Pursuant to Bankruptcy Rule 7056 for Summary Judgment [Adv. Case No. 19-366, ECF No. 123; Adv. Case No. 19-367, ECF No. 139]

Related Documents:

- A. Statement of Material Undisputed Facts of the Employees Retirement System of the Government of the Commonwealth of Puerto Rico, by and through the Financial Oversight and Management Board, in Support of Motion Pursuant to Bankruptcy Rule 7056 for Summary Judgment [Adv. Case No. 19-366, ECF No. 93; Adv. Case No. 19-367, ECF No. 109]
- B. Response of Defendants to Statement of Material Undisputed Facts of the Employees Retirement System of the Government of the Commonwealth of Puerto Rico, by and Through the Financial Oversight and Management Board, in Support of Motion Pursuant to Bankruptcy Rule 7056 for Summary Judgment [Adv. Case No. 19-366, ECF No. 111; Adv. Case No. 19-367, ECF No. 127]
- C. Plaintiffs' Reply to Defendants' Response to Statement of Material Undisputed Facts of the Employees Retirement System of the Government of the Commonwealth of Puerto Rico, by and Through the Financial Oversight and Management Board, in Support of Motion Pursuant to Bankruptcy Rule 7056 for Summary Judgment [Adv. Case No. 19-366, ECF No. 121; Adv. Case No. 19-367, ECF No. 137]
- D. Defendants' Evidentiary Objections to the Declaration of Cecile Tirado Soto in Respect of Employees Retirement System of the Government of the Commonwealth of Puerto Rico Motion Pursuant to Bankruptcy Rule 7056 for Summary Judgment [Adv. Case No. 19-366, ECF No. 112; Adv. Case No. 19-367, ECF No. 128]
- E. Response to Defendants' Evidentiary Objections to the Declaration of Cecile Tirado Soto in Respect of Employees Retirement System of the Government of the Commonwealth of Puerto Rico Motion Pursuant to Bankruptcy Rule 7056 for Summary Judgment [Adv. Case No. 19-366, ECF No. 122; Adv. Case No. 19-367, ECF No. 138]
- F. Order Regarding Defendants' Evidentiary Objections to the Declaration of Cecile Tirado Soto [Adv. Case No. 19-366, ECF No. 149; Adv. Case No. 19-367, ECF No. 170]
- G. Defendants' Motion to Strike Plaintiffs' Reply to Defendants' Response to Statement of Material Undisputed Facts of the Employees Retirement System of the Government of the Commonwealth of Puerto Rico, by and Through the Financial Oversight and Management Board, in Support of Motion Pursuant to Bankruptcy Rule 7056 for Summary Judgment [Adv. Case No. 19-366, ECF No. 127; Adv. Case No. 19-367, ECF No. 143]

- H. Order Scheduling Briefing on Defendants' Motion to Strike [Adv. Case No. 19-366, ECF No. 128; Adv. Case No. 19-367, ECF No. 144]
- I. Plaintiffs' Objection to Defendants' Motion to Strike Plaintiffs' Reply to Defendants' Response to Statement of Material Undisputed Facts in Support of Plaintiffs' Motion Pursuant to Bankruptcy Rule 7056 for Summary Judgment [Adv. Case No. 19-366, ECF No. 130; Adv. Case No. 19-367, ECF No. 146]
- J. Defendants' Reply in Support of Motion to Strike Plaintiffs' Reply to Defendants' Response to Statement of Material Undisputed Facts of the Employees Retirement System of the Government of the Commonwealth of Puerto Rico, by and Through the Financial Oversight and Management Board, in Support of Motion Pursuant to Bankruptcy Rule 7056 for Summary Judgment [Adv. Case No. 19-366, ECF No. 135; Adv. Case No. 19-367, ECF No. 151]
- K. Order Regarding Defendants' Motion to Strike Plaintiffs' Reply to Statement of Undisputed Material Facts [Adv. Case No. 19-366, ECF No. 148; Adv. Case No. 19-367, ECF No. 169]

Status: This matter is going forward.

- 2. **Defendants' Motion for Partial Summary Judgment on Lien Scope Issues.** Defendants' Motion for Partial Summary Judgment on Lien Scope Issues [Adv. Case No. 19-366, ECF No. 95; Adv. Case No. 19-367, ECF No. 111]

Description: Defendants' motion for partial summary judgment on lien scope issues.

Responses:

- A. Opposition of the Employees Retirement System of the Government of the Commonwealth of Puerto Rico, by and through Financial Oversight and Management Board, to Defendants' Motion for Partial Summary Judgment on Lien Scope Issues [Adv. Case No. 19-366, ECF No. 108; Adv. Case No. 19-367, ECF No. 124]

Replies, Joinders & Statements:

- A. Joinder of Plaintiff-Intervenor the Official Committee of Retired Employees to Opposition of the Employees Retirement System of the Government of the Commonwealth of Puerto Rico, by and through the Financial Oversight and Management Board, to Defendants' Motion for Summary Judgment [Adv. Case No. 19-366, ECF No. 114; Adv. Case No. 19-367, ECF No. 130]
- B. Defendants' Reply in Support of Motion for Partial Summary Judgment on Lien Scope Issues [Adv. Case No. 19-366, ECF No. 124; Adv. Case No. 19-367, ECF No. 140]
- C. Declaration of Sparkle L. Sooknanan in Support of Defendants' Reply in Support of Motion for Partial Summary Judgment on Lien Scope Issues [Adv. Case No. 19-366, ECF No. 125; Adv. Case No. 19-367, ECF No. 141]

Related Documents:

- A. Defendants' Rule 56(b) Statement of Undisputed Facts in Support of Defendants' Motion for Partial Summary Judgment on Lien Scope Issues **[Adv. Case No. 19-366, ECF No. 96; Adv. Case No. 19-367, ECF No. 112]**
- B. Declaration of Sparkle L. Sooknanan in Support of Defendants' Motion for Partial Summary Judgment on Lien Scope Issues **[Adv. Case No. 19-366, ECF No. 97; Adv. Case No. 19-367, ECF No. 113]**
- C. Declaration of Antonio L. Argiz **[Adv. Case No. 19-366, ECF No. 98; Adv. Case No. 19-367, ECF No. 114]**
- D. Plaintiffs' Response to Defendants' Rule 56(b) Statement of Undisputed Facts in Support of Defendants' Motion for Partial Summary Judgment on Lien Scope Issues **[Adv. Case No. 19-366, ECF No. 109; Adv. Case No. 19-367, ECF No. 125]**

Status: This matter is going forward.

V. ADJOURNED MATTERS:

1. **Association of Owners of the Medina Professional Center Condominium's Request for Allowance and Payment of Administrative Expense Claim.** Association of Owners of the Medina Professional Center Condominium's Request for Allowance and Payment of Administrative Expense **[Case No. 17-3283, ECF No. 15140]**

Description: The Association of Owners of the Medina Professional Center Condominium requests allowance and payment of postpetition fees on account of property owned by the Commonwealth in the Condominium as an administrative expense.

Objection Deadline: March 11, 2021.

Responses:

- A. None.

Reply, Joinder & Statement Deadlines: March 17, 2021.

Replies, Joinders & Statements:

- A. None.

Related Documents:

- A. Urgent Consented Motion for Extension of Deadlines **[Case No. 17-3283, ECF No. 15267]**
- B. Order Granting Urgent Consented Motion for Extension of Deadlines **[Case No. 17-3283, ECF No. 15273]**

- C. Second Urgent Consented Motion for Extension of Deadlines [**Case No. 17-3283, ECF No. 15440**]
- D. Order Granting Second Urgent Consented Motion for Extension of Deadlines [**Case No. 17-3283, ECF No. 15444**]
- E. Third Urgent Consented Motion for Extension of Deadlines [**Case No. 17-3283, ECF No. 15640**]
- F. Order Granting Third Urgent Consented Motion for Extension of Deadlines [**Case No. 17-3283, ECF No. 15649**]
- G. Fourth Urgent Consented Motion for Extension of Deadlines [**Case No. 17-3283, ECF No. 15790**]
- H. Order Granting Fourth Urgent Consented Motion for Extension of Deadlines [**Case No. 17-3283, ECF No. 15794**]
- I. Fifth Urgent Consented Motion for Extension of Deadlines [**Case No. 17-3283, ECF No. 15870**]
- J. Order Granting Fifth Urgent Consented Motion for Extension of Deadlines [**Case No. 17-3283, ECF No. 15871**]

Status: This matter has been adjourned to the April 28, 2021 omnibus hearing.

Estimated Time Required: N/A.

2. **PREPA's Motion for Approval of Rejection of Certain Power Purchase and Operating Agreements.** Omnibus Motion of Puerto Rico Electric Power Authority for Order (A) Approving PREPA's Rejection of Certain Power Purchase and Operating Agreements, and (B) Granting Related Relief [**Case No. 17-3283, ECF No. 15178; Case No. 17-4780, ECF No. 2296**]

Description: PREPA's motion for order authorizing rejection of certain power purchase and operating agreements.

Objection Deadline: January 8, 2021 at 5:00 p.m. (Atlantic Standard Time) for Windmar Operational PPOAs, M Solar PPOA, and YFN Yabucoa PPOA.

Responses:

- A. None.

Reply, Joinder & Statement Deadlines: April 14, 2021, 2021 at 5:00 p.m. (Atlantic Standard Time).

Replies, Joinders & Statements:

- A. None.

Related Documents:

- A. Declaration of Fernando M. Padilla in Respect of Omnibus Motion of Puerto Rico Electric Power Authority for Order (A) Approving PREPA's Rejection of Certain Power Purchase and Operating Agreements, and (B) Granting Related Relief [Case No. 17-3283, ECF No. 15179; Case No. 17-4780, ECF No. 2297]
- B. Urgent Consensual Motion for Extension of Certain Deadlines in Connection with Omnibus Motion of Puerto Rico Electric Authority for Order (A) Authorizing PREPA to Reject Certain Power Purchase and Operating Agreements, and (B) Granting Related Relief [Case No. 17-3283, ECF No. 15234; Case No. 17-4780, ECF No. 2307]
- C. Order Granting Urgent Consensual Motion for Extension of Certain Deadlines in Connection with Omnibus Motion of Puerto Rico Electric Authority for Order (A) Authorizing PREPA to Reject Certain Power Purchase and Operating Agreements, and (B) Granting Related Relief [Case No. 17-3283, ECF No. 15265; Case No. 17-4780, ECF No. 2309]
- D. Certificate of No Objection Regarding Omnibus Motion of Puerto Rico Electric Power Authority for Order (A) Approving PREPA's Rejection of Certain Power Purchase and Operating Agreements, and (B) Granting Related Relief [Case No. 17-3283, ECF No. 15286; Case No. 17-4780, ECF No. 2312]
- E. Order Granting in Part Omnibus Motion of Puerto Rico Electric Power Authority for Order (A) Approving PREPA's Rejection of Certain Power Purchase and Operating Agreements, and (B) Granting Related Relief [Case No. 17-3283, ECF No. 15313; Case No. 17-4780, ECF No. 2318]
- F. Urgent Consensual Motion for Second Extension of Certain Deadlines in Connection with Omnibus Motion of Puerto Rico Electric Authority for Order (A) Authorizing PREPA to Reject Certain Power Purchase and Operating Agreements, and (B) Granting Related Relief [Case No. 17-3283, ECF No. 15476; Case No. 17-4780, ECF No. 2344]
- G. Order Granting Urgent Consensual Motion for Second Extension of Certain Deadlines in Connection with Omnibus Motion of Puerto Rico Electric Authority for Order (A) Authorizing PREPA to Reject Certain Power Purchase and Operating Agreements, and (B) Granting Related Relief [Case No. 17-3283, ECF No. 15478; Case No. 17-4780, ECF No. 2345]
- H. Opposition by M Solar to Puerto Rico Electric Power Authority (PREPA) Omnibus Motion for Order (A) Approving PREPA's Rejection of Certain Power Purchase and Operating Agreements and (B) Grating Related Relief (Dkt 15780; Dkt 2298) [Case No. 17-4780, ECF No. 2360]
- I. Opposition by YFN Yabucoa/Solar to Puerto Rico Electric Power Authority (PREPA) Omnibus Motion for Order (A) Approving PREPA's Rejection of Certain

Power Purchase and Operating Agreements and (B) Grating Related Relief (Dkt 15780; Dkt 2298) **[Case No. 17-4780, ECF No. 2361]**

- J. Motion Submitting Proposed Order to Accompanying to Response to Opposition by M Solar to Puerto Rico Electric Power Authority (PREPA) Omnibus Motion for Order (A) Approving PREPA's Rejection of Certain Power Purchase and Operating Agreements and (B) Grating Related Relief (Dkt 15780; Dkt 2298) **[Case No. 17-4780, ECF No. 2362]**
- K. Motion Submitting Proposed Order to Accompanying Response to Opposition by YFN Yabuoa/Solar to Puerto Rico Electric Power Authority (PREPA) Omnibus Motion for Order (A) Approving PREPA's Rejection of Certain Power Purchase and Operating Agreements and (B) Grating Related Relief (Dkt 15780; Dkt 2298) **[Case No. 17-4780, ECF No. 2363]**
- L. Urgent Consensual Motion for Third Extension of Certain Deadlines in Connection with Omnibus Motion of Puerto Rico Electric Authority for Order (A) Authorizing PREPA to Reject Certain Power Purchase and Operating Agreements, and (B) Granting Related Relief **[Case No. 17-3283, ECF No. 15579; Case No. 17-4780, ECF No. 2364]**
- M. Order Granting Urgent Consensual Motion for Third Extension of Certain Deadlines in Connection with Omnibus Motion of Puerto Rico Electric Authority for Order (A) Authorizing PREPA to Reject Certain Power Purchase and Operating Agreements, and (B) Granting Related Relief **[Case No. 17-3283, ECF No. 15582; Case No. 17-4780, ECF No. 2366]**
- N. Urgent Consensual Motion for Fourth Extension of Certain Deadlines in Connection with Omnibus Motion of Puerto Rico Electric Authority for Order (A) Authorizing PREPA to Reject Certain Power Purchase and Operating Agreements, and (B) Granting Related Relief **[Case No. 17-3283, ECF No. 15880; Case No. 17-4780, ECF No. 2379]**
- O. Order Granting Urgent Consensual Motion for Fourth Extension of Certain Deadlines in Connection with Omnibus Motion of Puerto Rico Electric Authority for Order (A) Authorizing PREPA to Reject Certain Power Purchase and Operating Agreements, and (B) Granting Related Relief **[Case No. 17-3283, ECF No. 15881; Case No. 17-4780, ECF No. 2380]**

Status: This matter has been adjourned to the April 28, 2021 omnibus hearing.

Estimated Time Required: N/A.

- 3. **Objection of Puerto Rico Sales Tax Financing Corporation to Proofs of Claim of the United States Department of the Treasury/Internal Revenue Service.** The Puerto Rico Fiscal Agency and Financial Advisory Authority's Objection to Proofs of Claim of the

United States Department of the Treasury/Internal Revenue Service (Claims Nos. 168648 and 16885) [Case No. 17-3283, ECF No. 7419, Case No. 17-3284, ECF No. 643]

Description: The Puerto Rico Fiscal Agency and Financial Advisory Authority, on behalf of itself and the Puerto Rico Sales Tax Financing Corporation, objects to proofs of claim filed by the United States Department of the Treasury/Internal Revenue Service (Claims No. 168648 and 16885) against the Puerto Rico Sales Tax Financing Corporation.

Objection Deadline: October 25, 2019 at 4:00 p.m. (Atlantic Standard Time).

Responses:

- A. United States' Response to COFINA's Objection to the Internal Revenue Service's Proofs of Claim [Case No. 17-3283, ECF No. 8993, Case No. 17-3284, ECF No. 686]

Reply, Joinder & Statement Deadlines: December 24, 2019 at 4:00 p.m. (Atlantic Standard Time).

Replies, Joinders & Statements:

- A. COFINA's Reply to the United States' Response to COFINA's Objection to the Internal Revenue Service's Proofs of Claim [ECF No. 8993] [Case No. 17-3283, ECF No. 9649, Case No. 17-3284, ECF No. 693]

Related Documents:

- A. Stipulation and Agreed Order (A) Withdrawing Proofs of Claim of the United States Department of the Treasury/Internal Revenue Service (Claim Nos. 168648 and 168885); (B) Deeming Previously Filed Objection to Apply to Amended IRS Proof of Claim (Claim No. 169423); (C) Extending Deadline to Respond to the Objection; and (D) Adjourning Hearing to Consider the Objection [Case No. 17-3283, ECF No. 7927, Case No. 17-3284, ECF No. 662]
- B. Stipulation and Agreed Order (A) Extending Deadline to Respond to AAFAF's Objection to the Proof of Claim of the United States Department of the Treasury/Internal Revenue Service (Claim No. 169423); and (B) Adjourning Hearing to Consider the Objection [Case No. 17-3283, ECF No. 8466, Case No. 17-3284, ECF No. 666]
- C. Stipulation and Agreed Order (A) Further Extending Deadline to Respond to AAFAF's Objection to the Proof of Claim of the United States Department of the Treasury/Internal Revenue Service (Claim No. 169423); and (B) Further Adjourning Hearing to Consider the Objection [Case No. 17-3283, ECF No. 8688, Case No. 17-3284, ECF No. 678]
- D. Informative Motion Regarding Extension of United States' Deadline to Respond to Claim Objection [Case No. 17-3283, ECF No. 8839, Case No. 17-3284, ECF No. 684]

- E. Informative Motion Regarding Extension of COFINA's Deadline to Reply to United States' Response to Claim Objection [Case No. 17-3283, ECF No. 9330, Case No. 17-3284, ECF No. 688]
- F. Informative Motion Regarding Adjournment of Hearing on COFINA's Objection to the Internal Revenue Service's Proofs of Claims [ECF 7419] [Case No. 17-3283, ECF No. 10021, Case No. 17-3284, ECF No. 695]
- G. Informative Motion Regarding Adjournment of Hearing on COFINA's Objection to the Internal Revenue Service's Proofs of Claims [ECF 7419] [Case No. 17-3283, ECF No. 12550, Case No. 17-3284, ECF No. 702]
- H. Informative Motion Regarding Adjournment of Hearing on COFINA's Objection to the Internal Revenue Service's Proofs of Claims [ECF 7419] [Case No. 17-3283, ECF No. 13122, Case No. 17-3284, ECF No. 709]
- I. Informative Motion Regarding Adjournment of Hearing on COFINA's Objection to the Internal Revenue Service's Proofs of Claims [ECF 7419] [Case No. 17-3283, ECF No. 13589, Case No. 17-3284, ECF No. 712]
- J. Informative Motion Regarding Adjournment of Hearing on COFINA's Objection to the Internal Revenue Service's Proofs of Claims [ECF 7419] [Case No. 17-3283, ECF No. 14223, Case No. 17-3284, ECF No. 715]
- K. Informative Motion Regarding Adjournment of Hearing on COFINA's Objection to the Internal Revenue Service's Proofs of Claims [ECF 7419] [Case No. 17-3283, ECF No. 14768, Case No. 17-3284, ECF No. 719]
- L. Informative Motion Regarding Adjournment of Hearing on COFINA's Objection to the Internal Revenue Service's Proofs of Claims [ECF 7419] [Case No. 17-3283, ECF No. 15320, Case No. 17-3284, ECF No. 722]
- M. Informative Motion Regarding Adjournment of Hearing on COFINA's Objection to the Internal Revenue Service's Proofs of Claims [ECF 7419] [Case No. 17-3283, ECF No. 15682, Case No. 17-3284, ECF No. 724]
- N. Informative Motion Regarding Adjournment of Hearing on COFINA's Objection to the Internal Revenue Service's Proofs of Claims [ECF 7419] [Case No. 17-3283, ECF No. 15927, Case No. 17-3284, ECF No. 735]

Status: This matter has been adjourned to the April 28, 2021 omnibus hearing.

Estimated Time Required: N/A.

4. **Debtors' Omnibus Objections to Claims.**

Related Documents:

- A. Order Regarding Pending Omnibus Objections to Claims [**Case No. 17-3283, ECF No. 14419**]
- B. Order Regarding Adjourned Omnibus Objections to Claims [**Case No. 17-3283, ECF No. 15437**]

The following omnibus objections to claims were scheduled for hearing at the March 10, 2021 omnibus hearing but will be subject to forthcoming notices of presentment for final written orders of the Court.

Two Hundred Eighty-Fourth [ECF No. 15698]; Two Hundred Eighty-Fifth [ECF No. 15699]; Two Hundred Eighty-Sixth [ECF No. 15701]; Two Hundred Eighty-Seventh [ECF No. 15702]; Two Hundred Eighty-Ninth [ECF No. 15705]; Two Hundred Ninetieth [ECF No. 15706]; Two Hundred Ninety-First [ECF No. 15715]; Two Hundred Ninety-Third [ECF No. 15716]; Two Hundred Ninety-Fourth [ECF No. 15717]; Two Hundred Ninety-Fifth [ECF No. 15718]; Two Hundred Ninety-Sixth [ECF No. 15723]; Two Hundred Ninety-Seventh [ECF No. 15719].

The following omnibus objections to claims have been adjourned to the April 28, 2021 omnibus hearing.

Two Hundred Eighty-Eighth [ECF No. 15703]; Two Hundred Ninety-Third [ECF No. 15716]

The following omnibus objections to claims have been adjourned, solely with respect to claims that have not already been disallowed by entry of a final written order of the Court.

Eighty-Ninth [ECF No. 8978]; Ninetieth [ECF No. 8979]; Ninety-First [ECF No. 8980]; Ninety-Second [ECF No. 8981]; Ninety-Third [ECF No. 8982]; Ninety-Eighth [ECF No. 9548]; Ninety-Ninth [ECF No. 9549]; One Hundredth [ECF No. 9550]; One Hundred Third [ECF No. 9553]; One Hundred Sixth [ECF No. 9556]; One Hundred Eighth [ECF No. 9558]; One Hundred Ninth [ECF No. 9559]; One Hundred Twelfth [ECF No. 9562]; One Hundred Sixteenth [ECF No. 9566]; One Hundred Seventeenth [ECF No. 9567]; One Hundred Twentieth [ECF No. 9570]; One Hundred Twenty-Fifth [ECF No. 9894]; One Hundred Twenty-Sixth [ECF No. 9895]; One Hundred Twenty-Seventh [ECF No. 9897]; One Hundred Twenty-Ninth [ECF No. 9901]; One Hundred Thirtieth [ECF No. 9903]; One Hundred Thirty-First [ECF No. 9905]; One Hundred Thirty-Second [ECF No. 9906]; One Hundred Thirty-Third [ECF No. 9907]; One Hundred Thirty-Fourth [ECF No. 9908]; One Hundred Thirty-Sixth [ECF No. 9912]; One Hundred Thirty-Eighth [ECF No. 9917]; One Hundred Thirty-Ninth [ECF No. 9921]; One Hundred Fortieth [ECF No. 9933]; One Hundred Forty-Second [ECF No. 9935]; One Hundred Forty-Fourth [ECF No. 9937]; One Hundred Forty-Sixth [ECF No. 9939]; One Hundred Forty-Seventh [ECF No. 9940]; One Hundred Forty-Eighth [ECF No. 9941]; One Hundred Forty-Ninth [ECF No. 9942]; One Hundred Fiftieth [ECF No. 9943]; One Hundred Fifty-Fifth [ECF No. 9944]; One Hundred Fifty-Sixth [ECF No. 9945]; One Hundred Fifty-Seventh [ECF No. 9946]; One Hundred Fifty-Eighth [ECF No. 11820]; One Hundred Fifty-Ninth [ECF No. 11821]; One Hundred

Sixtieth [ECF No. 11822]; One Hundred Sixty-First [ECF No. 11823]; One Hundred Sixty-Second [ECF No. 11824]; One Hundred Sixty-Third [ECF No. 11825]; One Hundred Sixty-Fourth [ECF No. 11826]; One Hundred Sixty-Fifth [ECF No. 11827]; One Hundred Sixty-Sixth [ECF No. 11828]; One Hundred Sixty-Seventh [ECF No. 11833]; One Hundred Sixty-Eighth [ECF No. 11834]; One Hundred Sixty-Ninth [ECF No. 11836]; One Hundred Seventieth [ECF No. 11837]; One Hundred Seventy-Second [ECF No. 12126]; One Hundred Seventy-Fourth [ECF No. 12140]; One Hundred Seventy-Fifth [ECF No. 12141]; One Hundred Seventy-Sixth [ECF No. 12143]; One Hundred Seventy-Seventh [ECF No. 12144]; One Hundred Seventy-Eighth [ECF No. 12146]; One Hundred Seventy-Ninth [ECF No. 12147]; One Hundred Eightieth [ECF No. 12149]; One Hundred Eighty-First [ECF NO. 12159]; One Hundred Eighty-Third [ECF No. 12163]; One Hundred Eighty-Fifth [ECF No. 12851]; One Hundred Eighty-Sixth [ECF No. 12852]; One Hundred Eighty-Seventh [ECF No. 12853]; One Hundred Eighty-Eighth [ECF No. 12854]; One Hundred Eighty-Ninth [ECF No. 12858]; One Hundred Ninety-First [ECF No. 12860]; One Hundred Ninety-Second [ECF No. 12864]; One Hundred Ninety-Third [ECF No. 12865]; One Hundred Ninety-Fourth [ECF No. 12867]; One Hundred Ninety-Fifth [ECF No. 12868]; One Hundred Ninety-Sixth [ECF No. 12869]; One Hundred Ninety-Seventh [ECF No. 12870]; Two Hundredreth [ECF No. 13408]; Two Hundred Third [ECF No. 13411]; Two Hundred Fifth [ECF No. 13415]; Two Hundred Sixth [ECF No. 13416]; Two Hundred Seventh [ECF No. 13417]; Two Hundred Eighth [ECF No. 13418]; Two Hundred Ninth [ECF No. 13419]; Two Hundred Tenth [ECF No. 13420]; Two Hundred Eleventh [ECF No. 13422]; Two Hundred Twelfth [ECF No. 13425]; Two Hundred Thirteenth [ECF No. 13426]; Two Hundred Fourteenth [ECF No. 13427]; Two Hundred Fifteenth [ECF No. 13428]; Two Hundred Seventeenth [ECF No. 13431]; Two Hundred Eighteenth [ECF No. 13432]; Two Hundred Nineteenth [ECF No. 13433]; Two Hundred Twentieth [ECF No. 13434]; Two Hundred Twenty-First [ECF No. 13435]; Two Hundred Twenty-Third [ECF No. 13907]; Two Hundred Twenty-Fourth [ECF No. 13908]; Two Hundred Twenty-Sixth [ECF No. 13910]; Two Hundred Twenty-Ninth [ECF No. 13913]; Two Hundred Thirtieth [ECF No. 13914]; Two Hundred Thirty-First [ECF No. 13915]; Two Hundred Thirty-Third [ECF No. 13917]; Two Hundred Thirty-Fourth [ECF No. 13918]; Two Hundred Thirty-Fifth [ECF No. 13919]; Two Hundred Thirty-Sixth [ECF No. 13920]; Two Hundred Thirty-Seventh [ECF No. 13921]; Two Hundred Thirty-Eighth [ECF No. 13923]; Two Hundred Thirty-Ninth [ECF No. 13924]; Two Hundred Fortieth [ECF No. 13925]; Two Hundred Forty-First [ECF No. 13926]; Two Hundred Forty-Second [ECF No. 13927]; Two Hundred Forty-Third [ECF No. 13928]; Two Hundred Forty-Fourth [ECF No. 14216]; Two Hundred Forty-Fifth [ECF No. 14217]; Two Hundred Forty-Seventh [ECF No. 14219]; Two Hundred Forty-Eighth [ECF No. 14220]; Two Hundred Forty-Ninth [ECF No. 14221]; Two Hundred Fifty-First [ECF No. 14224]; Two Hundred Fifty-Second [ECF No. 14225]; Two Hundred Fifty-Third [ECF No. 14227]; Two Hundred Fifty-Fourth [ECF No. 14229]; Two Hundred Fifty-Fifth [ECF No. 14230]; Two Hundred Fifty-Sixth [ECF No. 14231]; Two Hundred Fifty-Seventh [ECF No. 14233]; Two Hundred Fifty-Eighth [ECF No. 14234]; Two Hundred Fifty-Ninth [ECF No. 14235]; Two Hundred Sixtieth [ECF No. 14236].

Status: This matter has been adjourned.

Estimated Time Required: N/A.

Dated: March 8, 2021
San Juan, Puerto Rico

Respectfully submitted,

/s/ Martin J. Bienenstock
Martin J. Bienenstock
Brian S. Rosen
Paul V. Possinger
Ehud Barak
(Admission *Pro Hac Vice*)
PROSKAUER ROSE LLP
Eleven Times Square
New York, NY 10036
Tel: (212) 969-3000
Fax: (212) 969-2900

Attorneys for the Financial Oversight and Management Board as representative for the Debtors

/s/ Hermann D. Bauer
Hermann D. Bauer
USDC No. 215205
O'NEILL & BORGES LLC
250 Muñoz Rivera Ave., Suite 800
San Juan, PR 00918-1813
Tel: (787) 764-8181
Fax: (787) 753-8944

Co-Attorneys for the Financial Oversight and Management Board as representative for the Debtors

Exhibit A

Order Regarding Procedures for March 10-11, 2021 Omnibus Hearing

Exhibit B

Order Regarding Procedures for March 11, 2021 Hearing